

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-30149

STEVEN J. MALKE  
Plaintiff,

v.

TRANSCONTINENTAL REFRIGERATED LINES, INC.  
Defendants.

**ASSENTED TO MOTION OF THE DEFENDANT TO EXTEND TIME**

The Defendant, TRANSCONTINENTAL REFRIGERATED LINES, INC. hereby moves to extend the time in which an "[o]ffer to be made by Defendant, if any, by 9/29/06" contained in the Electronic Clerk's Notes entered on September 21, 2006. In support of this motion the Defendant states that the person from whom counsel must obtain any authority to make any offers in this case is out of the office until October 4, 2006 and not checking voice mails during that time. Accordingly, the Defendant requests that the September 29 deadline be extended to October 8, 2006. This motion is assented to by the Plaintiff.

WHEREFORE the Defendant hereby requests that the date contained in the September 21, 2006 Electronic Clerk's Notes that, "[o]ffer be made by Defendant, if any by 9/29/06" be extended from September 29, 2006 to October 8, 2006.

TRANSCONTINENTAL REFRIGERATED  
LINES, INC.  
By its attorney,

/s/Andrew J. Fay  
Andrew J. Fay, Esq. (BBO #550058)  
TOBIN, SULLIVAN, FAY & GRUNEBUAM  
60 William Street  
Wellesley, MA 02481  
(781)237-0877

Assented to:

STEVEN J. MALKE  
By his attorney,

/s/John D. Ross, III  
John D. Ross, III, Esq.  
121 State Street, Suite 201  
Springfield, MA 01103